Legislative Assembly Management Committee

Annual Report 2012-2013

LEGISLATIVE ASSEMBLY
PROVINCE OF BRITISH COLUMBIA

December 12, 2013

To the Honourable
Legislative Assembly of the
Province of British Columbia

Honourable Members:

On behalf of my predecessor, Hon. Bill Barisoff, I have the honour to present the Legislative Assembly Management Committee's Annual Report for the period, January 2012-2013. During the reporting period, the Committee met in public for the first time and implemented other significant changes to its practices in order to promote openness, public accountability and transparency.

Respectfully submitted on behalf of the Committee,

Honourable Linda Reid
Speaker of the Legislative Assembly of British Columbia

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Composition of the Committee (39th Parliament)

Speaker and Chair	
Hon. Bill Barisoff, MLA	Penticton-Okanagan Valley
Government House Leader	
Hon. Michael de Jong, Q.C., MLA (from September 5, 2012)	Abbotsford West
Hon. Rich Coleman, MLA (to September 5, 2012)	Fort Langley-Aldergrove
Government Caucus Chair	
Mr. Gordon Hogg, MLA	Surrey-White Rock
Government Caucus Whip	
Mr. Eric Foster, MLA (from September 5, 2012)	Vernon-Monashee
Mr. Ben Stewart, MLA (to September 5, 2012)	Westside-Kelowna
Opposition House Leader	
Mr. John Horgan, MLA	Juan de Fuca
Official Opposition Caucus Chair	
Mr. Shane Simpson, MLA	Vancouver-Hastings

Clerk to the Committee

Craig James
Clerk of the Legislative Assembly

Committee Process

The Legislative Assembly Management Committee (LAMC) is a statutory all-party committee responsible for the overall management of the Legislative Assembly. It was established in 1992 with the enactment of the *Legislative Assembly Management Committee Act* (RSBC 1996, c. 258). Under the *Act*, LAMC is empowered to consider any matters necessary for the efficient and effective operation and management of the Legislative Assembly, including reviewing annual estimates of expenditure for the Legislative Assembly under Vote 1 – Legislation.

LAMC membership comprises the following Members of the Legislative Assembly: the Speaker and LAMC Chair, the Government House Leader, the Government Caucus Chair, the Chief Government Whip (in place of a minister), the Opposition House Leader, and the Opposition Caucus Chair.

This report summarizes the work of LAMC since its *2009-2011 Annual Report* was tabled in the House by the Speaker on October 18, 2012. In line with previous LAMC reports, the Annual Report for 2012-2013 contains a record of the decisions made during the reporting period.

Change in Committee Practice

In one important respect, this Annual Report represents a turning point in the evolution of LAMC. For the first time, three of the four meetings that took place during the reporting period were conducted in public and attracted considerable media interest.

This significant change in committee practice was part of a commitment made by LAMC in 2012 to follow the principles of openness, public accountability and transparency in the way it operates. The efforts to strengthen its governance and oversight function were also a response to the Auditor General's observations on the Legislative Assembly's governance environment in his July 2012 report, *Audit of the Legislative Assembly's Financial Records* (see pp. 14-15).

Schedule of Meetings

In the period from January 2012 to 2013, LAMC held four meetings on the following dates to consider various matters:

- July 31, 2012,
- August 28, 2012,
- October 17, 2012,
- January 28, 2013.

July 31, 2012 LAMC Meeting

The Legislative Assembly Management Committee (LAMC) met *in camera* on July 31, 2012. Also in attendance were the Clerk of the House and the Deputy Clerk.

Committee Decisions

The Committee made two decisions, one regarding LAMC governance and the other on LAMC powers. Members also agreed to endorse the Auditor General's audits of the Legislative Assembly's financial records and to disclose MLA expenses:

- Resolved, that the Legislative Assembly Management Committee shall initiate new practices, including: regular quarterly meetings and other meetings as required at the call of the Chair; and, publishing transcripts and minutes on the Legislative Assembly website, similar in a manner to other parliamentary committees; further it was resolved that the Clerk develop guidelines to determine practices regarding in-camera deliberations.

- Resolved, that the Committee formally delegate to the Clerk full responsibility for the appointment, management and dismissal of all employees within the Legislative Assembly other than: permanent officers and those staff employed in the Office of the Speaker, in a Caucus or by an Independent Member.

- The Committee agreed that: Members' expense forms would be published on the Legislative Assembly website on a quarterly basis; and further agreed that this process would commence with the disclosure and publication of Members' expenses for the first two quarters of FY 2012-13 (April-June 2012 and July-September 2012) as soon as possible, with a target of having both quarters available on the Legislative Assembly website by October 2012.

- The Committee agreed to accept all audit recommendations from *Special Audit Report to the Speaker: Financial Framework Supporting the Legislative Assembly*, April 2007 and *Audit of the Legislative Assembly's Financial Records*, July 2012.

July 31, 2012 LAMC Statement

Following the *in-camera* meeting, LAMC took the unusual step of releasing a statement outlining its intentions going forward:

Assembly Response to Financial Records Audit, July 2012

> *"The Legislative Assembly Management Committee is taking immediate action in response to Auditor General's John Doyle's recent legislative assembly audit.*

"All actions will follow the principles of openness, public accountability and transparency and the committee will implement all recommendations made by the Auditor General since 2007. These recommendations have been referred to the clerk who will report back to LAMC on progress of the workplan at the next meeting.

LAMC Governance

"Future LAMC meetings will be open and structured in a manner similar to a select standing committee. Meetings will be recorded by Hansard and will only be in camera when needed. Guidelines concerning in camera consultations will be determined at the first open meeting. Meetings will be held quarterly or at the call of the chair should more discussions be required.

Disclosure of MLA Expense Information

"The committee has full confidence that all MLAs have submitted receipts for their expenses as required. Annual expenses are released in the Public Accounts every July. However, to provide more openness to British Columbians, beginning in October, quarterly MLA expenses will be posted online starting with the expenses for the first two quarters of this current fiscal year.

Financial Management

"An Internal Audit and Risk Management sub-committee, comprised of the Speaker and the two caucus chairs, has been created to review all audit reports and will report back to LAMC.

"Effective immediately, two people are being brought in to enhance financial controls at the legislature and both will work under the direction of the clerk to assist in restoring public confidence. Additionally, the position of an executive financial officer has been created. The names of the appointees will be made public in the following days.

"Since April, Deloitte has been retained to prepare an internal audit and risk management program.

"LAMC has spoken with the Auditor General to discuss the workplan and has invited him to appear in person and meet with the committee to discuss his report and LAMC's response.

"The committee will consult with both the Auditor General and the Information and Privacy Commissioner to discuss how best to report and make public constituency office expenses.

"LAMC expects to hold its next meeting, in the new open format, at the end of August and will meet with the Auditor General in September, upon his return."

August 28, 2012 LAMC Meeting

The Legislative Assembly Management Committee (LAMC) held its first public meeting on August 28, 2012. The Committee heard presentations by the Clerk of the House and the Deputy Clerk. Also in attendance was the A/Executive Financial Officer.

LAMC Governance

The Deputy Clerk distributed the *Legislative Assembly Management Committee Draft Governance Document*, dated Aug. 27, 2012. She explained that it was developed to assist LAMC exercise oversight to ensure responsible management of the Legislative Assembly. The document describes the composition, powers and duties of LAMC; the powers and duties of the Speaker; proceedings and business; minutes of meetings; and the role of the Clerk of the House. The Deputy Clerk explained that LAMC has the authority to change any of the practices outlined in the draft document.

Several topics were discussed: the meaning of LAMC powers regarding "the conduct of the members of the Legislative Assembly" (section 3(1) of *LAMC Act*); budget estimates for Vote 1 - Legislation; membership substitutions; protocols for *in-camera* meeting minutes and for release of minutes; meeting schedule and quorum requirement; the exclusion of permanent officers from LAMC's jurisdiction; and the respective roles of the Speaker, Clerk of the House and the Clerk Consultant.

Flowing from this review, Members suggested amendments and revisions to the draft governance document. They also requested that the Office of the Clerk prepare an overview of key statutory provisions in the *Legislative Assembly Management Committee Act* and *Constitution Act*, with respect to the matters raised during the review of the draft governance document.

Committee Decisions

The Committee made three decisions, two relating to minutes and the other to the meeting schedule:

- Resolved, that draft minutes of the Committee's *in-camera* deliberations be prepared to record *in-camera* decisions made by way of formal motion; and further, that pursuant to the usual practice, the Committee shall approve draft *in-camera* minutes at the subsequent meeting, and once approved, the minutes shall be publicly available on the Assembly website.

- Resolved, that pursuant to the statutory provision of section 5(8) of the *LAMC Act* which requires that minutes must be 'promptly' prepared for release, the Committee shall undertake to have draft minutes approved at minimum at their quarterly meetings, and may also adopt the practice of releasing draft interim meeting minutes to permit an earlier release of information.

- Resolved, that the *Governance Document* be revised to state that LAMC shall hold quarterly meetings and that additional meetings may be held at the call of the Chair, as required.

Assembly Response to Financial Records Audit, July 2012

LAMC received a progress report from the Clerk of the House on the Assembly response to the Auditor General's report, *Audit of the Legislative Assembly's Financial Records, July 2012*. The Clerk reported that a number of measures have been undertaken to address the Auditor General's concerns. These initiatives included: conducting an operational and management review (including financial review) of the Assembly; developing a financial management action plan to improve the existing financial framework; enhancing budget development and monitoring processes; and conducting a constituency office expense review. Other steps taken were: implementing a functional reorganization of Assembly branches, creating a new Executive Financial Officer position, and establishing an internal audit working group to review financial practices. The Clerk also referred to capital projects and actions taken on emergency preparedeness and disaster recovery response within the Assembly.

The Clerk explained the role of the A/Chief Financial Officer in implementing recommendations, and reviewed communications between the Legislative Assembly and the Office of the Auditor General. He invited the two caucus chairs to attend weekly meetings of the newly formed audit working group. In response to the Clerk's briefing, one Member requested that the chronology of audit information from 2007 to 2012 be made available in time for the next LAMC meeting.

Annual Report 2009-2011

Members reviewed the draft report summarizing LAMC activities from March 3, 2009 to October 25, 2011. They agreed to defer the adoption of the report to have more time to review the document.

Disclosure of Members' Expenses

The Clerk explained that the current practice is to disclose information on MLA remuneration and travel in the annual *Public Accounts*. A briefing note prepared for LAMC indicated that a general theme throughout the Auditor General's report is public disclosure through publishing a full set of financial statements for the Legislative Assembly, as well as details of payments made to current and former MLAs and more details of how constituency office allowances are spent. The Clerk also referenced the Information and Privacy Commissioner's guidelines regarding the public reporting of MLA expenses, including constituency office expenses.

Members asked about the categorization, format and timeline for reporting on MLA expense information. They discussed options to address privacy concerns for constituency assistants, the status of constituency office staff at dissolution, and asked the Clerk to obtain a legal opinion on the matter.

Clerk Consultant

A Member asked for details of the Clerk Consultant's duties and compensation by the next meeting.

October 17, 2012 LAMC Meeting

The Legislative Assembly Management Committee (LAMC) held its second public meeting on October 17, 2012. LAMC heard presentations by the Government House Leader, the Clerk of the House, the Deputy Clerk, and the A/Executive Financial Officer.

Disclosure of Members' Expenses

The Government House Leader referenced the practices used in other jurisdictions for disclosing constituency office expenses, and the BC guidelines provided by the Information and Privacy Commissioner. Members agreed to prepare a revised proposal regarding disclosure of constituency office expenses and seek the input and advice of the Information and Privacy Commissioner to make further progress on this matter. As well, they agreed to ensure that all Members have an opportunity to review the proposed constituency office disclosure report planned for public release in early 2013.

With regard to MLA travel expenses, LAMC confirmed its commitment to planned disclosure.

Committee Decision

- Resolved, that the Committee publicly release Members travel expenses, in the aggregate and individual formats presented today, by October 31, 2012.

Assembly Response to Financial Records Audit, July 2012

The Clerk distributed the audit chronology covering the 2006 to 2012 period, which was requested at the previous meeting. He also presented the Legislative Assembly's draft response to the Auditor General's recommendations for consideration by LAMC. He explained that the draft response described actions taken since the 2007 audit of the Assembly's financial records. In addition, the Clerk provided the Committee with a progress report on the extensive administrative and financial work underway, including an update on the internal audit and risk management program. Members discussed the timeline for the Assembly response and the work of the audit working group.

LAMC Governance

The Deputy Clerk reviewed the revisions to the *Legislative Assembly Management Committee Draft Governance Document*, dated October 2012, which had been made since the previous meeting. In particular, changes to the meeting schedule and the section on minutes of meetings were referenced. The ensuing discussion focused on meeting minutes and *in-camera* practices with respect to the Vote 1 review process of the Assembly estimates.

Committee Decision

Agreed, that the minutes of public meetings of LAMC would not require a formal adoption process.

Quarterly Financial Reporting

The A/Executive Financial Officer provided financial information for fiscal 2012-2013: First Quarter (April 1-June 30, 2012), showing expenses by function, forecast expenses to March 31, 2013, and capital expenses. Members asked about the accounting treatment of unanticipated expenses.

Finance and Audit Committee

Members endorsed the Clerk's proposal to establish a committee to advise LAMC on how to exercise effective oversight of the Legislative Assembly finances. They learned that the new Finance and Audit Committee will undertake audit-related responsibilities to improve financial management controls at the Assembly.

Committee Decision

- Resolved, that a Finance and Audit Committee, comprised of the Speaker, the Caucus Chairs and the Clerk, be established to examine and make recommendations to LAMC on financial management and audit-related matters.

Annual Report 2009-2011

The Deputy Clerk presented for review the revised draft of the LAMC report for 2009-2011, which included membership changes effective September 5, 2012. Members proposed additional text for the Speaker's letter of transmittal for the draft report. They also suggested that the format of future reports could reflect new practices adopted by LAMC – for example, a summary on disclosure information could be included in the interests of promoting openness.

Committee Decision

- Resolved, that the Committee adopt the Annual Report 2009-201, as amended.

Clerk Consultant

The Speaker read into the record a letter from the Clerk Consultant, dated October 3, 2012, disclosing his intention to donate to the Legislative Library of British Columbia the net remuneration received during his term of 24 months.

Committee Decision

- Resolved, that the Speaker, on behalf of the Legislature and the people of British Columbia, send a letter thanking the Clerk Consultant for his generous gift.

January 28, 2013 LAMC Meeting

The Legislative Assembly Management Committee (LAMC) held its third public meeting on January 28, 2013. The Committee heard presentations by the Clerk and the A/Executive Financial Officer.

Progress Report

The Clerk of the House presented an overview of the internal audit plan, 2012/13 – 2014/15. He reported that for the current fiscal year, 2012/13, audits of capital development projects, constituency offices, and special investigations are planned. An assessment of internal controls over financial reporting and a review of the new governance structure are scheduled for 2013/14. This portion of the progress report prompted several questions from members on the internal audit plan.

The Clerk updated LAMC on preparations for the transition to the new parliament. He explained that activities include updates to existing resources and new initiatives to provide enhanced access to information for new and returning members, an end of parliament communiqué for current members, and an upcoming report by the information technology committee containing recommendations on equipment and technology for the new parliament. LAMC also received a report on the status of the barrier-free ramp project to provide unimpeded access to the buildings.

The Clerk distributed a vision document, ***Renewal of an Icon***, which focuses on the need for maintenance, renovation and revitalization of the Legislative Precinct. He also reported on the development of a business continuity plan to address a major disruption in Assembly operations.

LAMC Governance

The Clerk provided an update in regard to the new Finance and Audit Committee. In response, members discussed the protocol for receiving its minutes.

Committee Decision

Agreed, that the minutes of the Finance and Audit Committee be included for consideration and approval on future LAMC agendas; it was further agreed that all other public business should precede any *in-camera* items on the agenda in order to facilitate any public business.

Disclosure of Members' Expenses

The Clerk presented options for LAMC consideration related to disclosure of centrally paid expenses, including MLA travel expenses, and constituency office costs. He also reported that at the inaugural meeting of the Finance and Audit Committee (December 5, 2012), a proposal was made to change the structure of the MLA Travel Card from the current corporate liability travel card to a personal liability card.

Members discussed the options for further disclosure of Members' expenses, such as the inclusion of Cabinet Minister expenses, Speaker-approved travel, and Parliamentary Committee travel. Members also considered the proposal to change the MLA Travel Card program.

Committee Decisions

The Committee made three decisions in regard to the format and scope of disclosure of MLA expense information, and another on the MLA Travel Card program:

- Resolved, that the Legislative Assembly work towards coordinating a compilation of disclosures of Ministers' expenses and Members' expenses.
- Agreed, that Parliamentary Committee travel expenses be reported on in future disclosures of Members' expenses.
- Resolved, that the Committee approve the proposed model for expanded disclosure of Members' compensation, travel and constituency expenses in the 40th Parliament.
- Resolved, that the current MLA Travel Card be replaced with a personal liability card, and further, that the A/Executive Financial Officer review options for alternative programs featuring a personal liability card for implementation and use in the 40th Parliament.

Quarterly Financial Reporting

The A/Executive Financial Officer provided financial information for the second quarter (April – Sept. 2012) and third quarter (April – Dec. 2012) of 2012/13, with each containing an expense report by function, a forecast report and a capital expenditure report. Members focused their questions on unallocated operating expenses and a contingency fund for unforeseen capital projects.

Estimates – Vote 1

The Clerk provided the budget submission setting out the estimated resources required for 2013/14 to enable the Legislative Assembly to fulfil its legislative, financial and oversight responsibilities. To continue operating as a lean and efficient organization, the proposed budget for Vote 1 - Legislation provides for total operating expenses of $75,496,000 and a capital budget of $3,392,000.

Committee Decision

- Resolved, that the Committee approve estimates of expenditure for the Legislative Assembly for Vote 1 as presented and further, that the Speaker transmit the estimates of expenditure for the Legislative Assembly to the Minister of Finance on behalf of the Committee.

Appendix A: Committee Decisions by Subject, 2012-2013

Annual Report 2009-2011

The Committee resolved to adopt the LAMC *Annual Report 2009-2011*, as amended. (Decision October 17, 2012)

Assembly Audit

The Committee agreed to accept all audit recommendations from *Special Audit Report to the Speaker: Financial Framework Supporting the Legislative Assembly*, April 2007 and *Audit of the Legislative Assembly's Financial Records*, July 2012. (Decision July 31, 2012)

Clerk Consultant

The Committee resolved that the Speaker, on behalf of the Legislature and the people of British Columbia, send a letter thanking the Clerk Consultant for his generous gift. (Decision October 17, 2012)

Disclosure of Members' Expenses

The Committee agreed that: Members' expense forms would be published on the Legislative Assembly website on a quarterly basis; and further agreed that this process would commence with the disclosure and publication of Members' expenses for the first two quarters of FY 2012-13 (April-June 2012 and July-September 2012) as soon as possible, with a target of having both quarters available on the Legislative Assembly website by October 2012. (Decision July 31, 2012)

The Committee resolved to publicly release Members' travel expenses, in the aggregate and individual formats presented today, by October 31, 2012. (Decision October 17, 2012)

The Committee resolved that the Legislative Assembly work towards coordinating a compilation of disclosures of Ministers' expenses and Members' expenses. (Decision January 28, 2013)

The Committee agreed that Parliamentary Committee travel expenses be reported on in future disclosures of Members' expenses. (Decision January 28, 2013)

The Committee approved the proposed model for expanded disclosure of Members' compensation, travel and constituency expenses in the 40th Parliament. (Decision January 28, 2013)

Estimates – Vote 1

The Committee resolved to approve estimates of expenditure for the Legislative Assembly for Vote 1 as presented and further, that the Speaker transmit the estimates of expenditure for the Legislative Assembly for Vote 1 to the Minister of Finance on behalf of the Committee. (Decision January 28, 2013)

Finance and Audit Committee

The Committee resolved that a Finance and Audit Committee, comprised of the Speaker, the Caucus Chairs and the Clerk, be established to examine and make recommendations to LAMC on financial management and audit related matters. (Decision October 17, 2012)

LAMC Governance

The Committee resolved that the Legislative Assembly Management Committee shall initiate new practices, including: regular quarterly meetings and other meetings as required at the call of the Chair; and, publishing transcripts and minutes on the Legislative Assembly website, similar in a manner to other parliamentary committees; further it was resolved that the Clerk develop guidelines to determine practices regarding in-camera deliberations. (Decision July 31, 2012)

The Committee resolved that draft minutes of *in-camera* deliberations be prepared to record *in-camera* decisions made by way of formal motion; and further, that pursuant to the usual practice, the Committee shall approve draft *in-camera* minutes at the subsequent meeting, and once approved, the minutes shall be publicly available on the Assembly website. (Decision August 28, 2012)

The Committee resolved that pursuant to the statutory provision of section 5(8) of the *Legislative Assembly Management Committee Act* which requires that minutes must be 'promptly' prepared for release, the Committee shall undertake to have draft minutes approved at minimum at their quarterly meetings, and may also adopt the practice of releasing draft interim minutes to permit an earlier release of information. (Decision August 28, 2012)

The Committee resolved that the draft *Legislative Assembly Management Committee Governance Document* be revised to state that the Committee shall hold quarterly meetings and that additional meetings may be held at the call of the Chair, as required. (Decision August 28, 2012)

The Committee agreed that the minutes of public meetings of LAMC would not require a formal adoption process. (Decision October 17, 2012)

The Committee agreed that the minutes of the Finance and Audit Committee be included for consideration and approval on future LAMC agendas; it was further agreed that all other public business should precede any *in-camera* items on the agenda in order to facilitate any public business. (Decision January 28, 2013)

LAMC Powers

The Committee resolved to formally delegate to the Clerk full responsibility for the appointment, management and dismissal of all employees within the Legislative Assembly other than: permanent officers and those staff employed in the Office of the Speaker, in a Caucus or by an Independent Member. (Decision July 31, 2012)

MLA Travel Card

The Committee resolved that the current MLA Travel Card be replaced with a personal liability card and, further, that the A/Executive Financial Officer review options for alternative programs featuring a personal liability card for implementation and use in the 40th Parliament. (Decision January 28, 2013)

Appendix B: Minutes of Proceedings, 2012-2013

(in reverse chronological order)

Monday, January 28, 2013

2 p.m., Douglas Fir Committee Room, Parliament Buildings, Victoria

Present: Hon. Bill Barisoff, MLA (Speaker and Chair); Hon. Michael de Jong, MLA; Eric Foster, MLA; Gordon Hogg, MLA; John Horgan, MLA; Shane Simpson, MLA

Officials Present: Craig James, Clerk of the House; Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees; Bob Faulkner, A/Executive Financial Officer

1. The Chair called the meeting to order at 2:11 p.m.
2. **Resolved**, that the Committee adopt the agenda as circulated. (Gordon Hogg, MLA)
3. **Resolved**, that the Committee adopt the minutes of October 17, 2012. (John Horgan, MLA)
4. The Clerk of the House provided the Committee with a progress update on the administrative, financial and technological work underway.
5. The Committee discussed options for further disclosure of Members' expenses.
6. **Resolved**, that the Assembly work towards coordinating a compilation of disclosures of Ministers' expenses and Members' expenses. (John Horgan, MLA)
7. The Committee agreed that Parliamentary Committee travel expenses be further reported upon in future disclosures of Members' expenses.
8. **Resolved**, that the Committee approve the proposed model for expanded disclosure of Members' compensation, travel and constituency expenses in the 40th Parliament. (John Horgan, MLA)
9. The Committee considered the proposal to replace the existing MLA Travel Card program (corporate liability card).
10. **Resolved**, that the current MLA Travel Card be replaced with a personal liability card and, further, that the A/Executive Financial Officer review options for alternative programs featuring a personal liability card for implementation and use in the 40th Parliament. (John Horgan, MLA)
11. The A/Executive Financial Officer presented the Committee with the Vote 1 Financial Report for the second and third quarters of the 2012/13 fiscal year (July 1 – December 31, 2012).
12. The Clerk of the House provided the Committee with the "*Renewal of an Icon*" document regarding the need to work towards the rehabilitation and revitalization of the Parliament Buildings and adjacent Assembly buildings.
13. The Clerk of the House provided the Committee with a progress update on the development of a Legislative Assembly business continuity plan.
14. The Committee agreed that the minutes of the Finance and Audit Committee be included for consideration and approval on future LAMC agendas; it was further agreed that all other public business should precede any *in-camera* items on the agenda in order to facilitate any public business.
15. **Resolved,** that the Committee meet *in-camera* to consider and review the estimates of expenditure for the Legislative Assembly for Vote 1. (Shane Simpson, MLA)
16. The Committee met *in-camera* from 3:13 p.m. to 3:39 p.m.
17. The Committee resumed in public session at 3:49 p.m.
18. **Resolved**, that the Committee approve estimates of expenditure for the Legislative Assembly for Vote 1 as presented and further, that the Speaker transmit the estimates of expenditure for the Legislative Assembly for Vote 1 to the Minister of Finance on behalf of the Committee. (Gordon Hogg, MLA)
19. The Committee adjourned to the call of the Chair at 3:49 p.m.

Hon. B. Barisoff, MLA
Speaker and Chair

Craig James
Clerk of the House

Wednesday, October 17, 2012
10 a.m., Douglas Fir Committee Room, Parliament Buildings, Victoria

Present: Hon. Bill Barisoff, MLA (Speaker and Chair); Hon. Michael de Jong, MLA; Gordon Hogg, MLA; John Horgan, MLA; Shane Simpson, MLA

Substitute Member: Joan McIntyre, MLA, for Eric Foster, MLA

Officials Present: Craig James, Clerk of the House; Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees; Bob Faulkner, A/Executive Financial Officer

1. The Chair called the Committee to order at 10:04 a.m.
2. The Committee agreed to add the following item to the agenda: Correspondence from the Clerk Consultant.
3. Following a presentation by the Government House Leader, the Committee discussed options for the public disclosure of MLA expenses.
4. **Resolved,** that the Committee publicly release Members travel expenses in the aggregate and individual formats presented today by October 31, 2012. (Gordon Hogg, MLA)
5. The Committee agreed to prepare a revised proposal regarding disclosure of constituency office expenses and seek the input and advice of the Information and Privacy Commissioner in order to expedite progress on this matter. The Committee agreed to ensure that all Members have an opportunity to review the proposed constituency office disclosure report planned for public release in early 2013.
6. The Clerk of the House provided the Committee with a progress update on the extensive administrative and financial work underway.
7. The Committee reviewed and considered the revised draft *Legislative Assembly Management Committee Governance Report*. It was agreed that the minutes of public meetings of the Committee would not require a formal adoption process.
8. The A/Executive Financial Officer presented the Committee with the Vote 1 Financial Report for the first quarter of the 2012/13 fiscal year (April 1- June 30, 2012).
9. The Committee reviewed and considered the revised draft *Legislative Assembly Management Committee Annual Report 2009-2011*. **Resolved,** that the Committee adopt the Annual Report 2009-2011, as amended. (Gordon Hogg, MLA)
10. **Resolved,** that a Finance and Audit Committee, comprised of the Speaker, the Caucus Chairs and the Clerk, be established to examine and make recommendations to the Legislative Assembly Management Committee on financial management and audit related matters. (John Horgan, MLA)
11. The Speaker read a letter from E. George MacMinn, O.B.C., Q.C., Clerk Consultant, dated October 3, 2012 regarding his intended donation to the Legislative Library of all net remuneration received during his two-year appointment.
12. **Resolved,** that the committee meet *in-camera* to discuss personnel matters. (Gordon Hogg, MLA)
13. The Committee met in-camera from 11:47 a.m. to 12:10 p.m.
14. The Committee resumed in public session at 12:10 p.m.
15. **Resolved,** that the Speaker, on behalf of the Legislature and the people of British Columbia, send a letter thanking the Clerk Consultant for his generous gift. (Hon. Michael de Jong, MLA)
16. The Committee adjourned to the call of the Chair at 12:11 pm.

Hon. B. Barisoff, MLA
Speaker and Chair

Craig James
Clerk of the House

Tuesday, August 28, 2012
10 a.m., Douglas Fir Committee Room, Parliament Buildings, Victoria

Present: Hon. Bill Barisoff, MLA (Chair); Hon. Rich Coleman, MLA; Gordon Hogg, MLA; John Horgan, MLA; Shane Simpson, MLA; Ben Stewart, MLA

Officials Present: Craig James, Clerk of the House; Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees; Bob Faulkner, A/Executive Financial Officer

1. The Chair called the Committee to order at 10:07 a.m.
2. **Resolved,** that the Committee adopt its draft agenda, as amended. (Ben Stewart, MLA)
3. **Resolved,** that the Committee approve the minutes of the meeting held July 31, 2012. (Shane Simpson, MLA)
4. The Committee reviewed the draft *Legislative Assembly Management Committee Governance Document* and suggested amendments and revisions.
5. **Resolved,** that draft minutes of the Committee's *in-camera* deliberations be prepared to record *in-camera* decisions made by way of formal motion; and further, that pursuant to the usual practice, the Committee shall approve draft *in-camera* minutes at the subsequent meeting, and once approved, the minutes shall be publicly available on the Assembly website. (Gordon Hogg, MLA)
6. **Resolved,** that pursuant to the statutory provision of section 5(8) of the *Legislative Assembly Management Committee Act* which requires that minutes must be 'promptly' prepared for release, the Committee shall undertake to have draft minutes approved at minimum at their quarterly meetings, and may also adopt the practice of releasing draft interim minutes to permit an earlier release of information. (Gordon Hogg, MLA)
7. **Resolved,** that the draft *Legislative Assembly Management Committee Governance Document* be revised to state that the Committee shall hold quarterly meetings and that additional meetings may be held at the call of the Chair, as required. (Shane Simpson, MLA)
8. The Committee requested that the Office of the Clerk prepare an overview of statutory provisions to the *Legislative Assembly Management Committee Act*, and other related legislation, with respect to matters raised during the Committee's review of the draft governance document.
9. The Committee reviewed and discussed the document titled *Summary of Audit of the Legislative Assembly Financial Records: July 2012, Prepared for the Legislative Assembly Management Committee, August 2012.*
10. The Committee reviewed the draft *Legislative Assembly Management Committee Annual Report 2009-2011* and agreed to defer approval of the report to permit Members additional time to review the document.
11. The Committee reviewed the disclosure and categorization of Members' expenses, including travel and constituency office expenses.
12. The Committee considered the status of constituency office staff at dissolution and requested that the Office of the Clerk obtain a legal opinion on the matter.
13. The Committee discussed the role and function of the Clerk Consultant position and agreed to request further information from the Office of the Clerk on position responsibilities and compensation.
14. **Resolved,** that the Committee meet in-camera to discuss personnel and negotiation matters. (Gordon Hogg, MLA)
15. The Committee met in-camera from 11:57 a.m. to 12:18 p.m.

16. The Committee resumed in public session at 12:18 p.m. and agreed to plan a meeting during the week of September 24, 2012.
17. The Committee adjourned to the call of the Chair at 12:20 p.m.

Hon. B. Barisoff, MLA
Speaker and Chair

Craig James
Clerk of the House

Tuesday, July 31, 2012
1.30 p.m, Birch Committee Room, Parliament Buildings, Victoria

Present: Hon. Bill Barisoff, MLA (Chair); Hon. Rich Coleman, MLA; Gordon Hogg, MLA; John Horgan, MLA; Shane Simpson, MLA; Ben Stewart, MLA

Officials Present: Craig James, Clerk of the House; Kate Ryan-Lloyd, Deputy Clerk and Clerk of Committees

1. The Speaker, as Chair, called the Legislative Assembly Management Committee to order at 1:40 p.m.
2. The Committee discussed its role, practices and meeting schedule.
3. **Resolved,** that the Legislative Assembly Management Committee shall initiate new practices, including: regular quarterly meetings and other meetings as required at the call of the Chair; and, publishing transcripts and minutes on the Legislative Assembly website, similar in a manner to other parliamentary committees; further it was resolved that the Clerk develop guidelines to determine practices regarding in-camera deliberations. (Moved by Gordon Hogg, MLA; seconded by Shane Simpson, MLA)
4. The Committee agreed that: Members' expense forms would be published on the Legislative Assembly website on a quarterly basis; and further agreed that this process would commence with the disclosure and publication of Members' expenses for the first two quarters of FY 2012-13 (April-June 2012 and July-September 2012) as soon as possible, with a target of having both quarters available on the Legislative Assembly website by October 2012.
5. The Committee agreed that the Auditor General, John Doyle, be invited to appear before the Committee at the next meeting with respect to his report *Audit of the Legislative Assembly's Financial* Records, July 2012.
6. The Committee agreed to seek further advice from the Auditor General, John Doyle, and the Information and Privacy Commissioner, Elizabeth Denham, regarding disclosure of constituency expenses, including staff salaries.
7. The Committee agreed to accept all audit recommendations from *Special Audit Report to the Speaker: Financial Framework Supporting the Legislative Assembly*, April 2007 and *Audit of the Legislative Assembly's Financial Records*, July 2012.
8. **Resolved,** that the Committee formally delegate to the Clerk full responsibility for the appointment, management and dismissal of all employees within the Legislative Assembly other than: permanent officers and those staff employed in the Office of the Speaker, in a Caucus or by an Independent Member. (Moved by Gordon Hogg, MLA; seconded by Shane Simpson, MLA)
9. The Committee adjourned to the call of the Chair at 5:30 p.m.

Hon. B. Barisoff, MLA
Speaker and Chair

Craig James
Clerk of the House

Appendix C:
Legislative Assembly Management Committee Act (RSBC 1996, c. 258)

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Section

1 Definitions
2 Continuation of the committee
3 Powers and duties of the committee
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5 Proceedings and business
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Schedule

Definitions

1 In this Act:

"additional party" means a political party with 4 or more members in the Legislative Assembly but does not include the government party or official opposition party;

"chair of the Government Caucus" means the member of the Legislative Assembly designated as such by the government party;

"chair of the Official Opposition Caucus" means the member of the Legislative Assembly designated as such by the official opposition party;

"committee" means the Legislative Assembly Management Committee continued by section 2;

"Confederation Garden Park" means the park described in the Schedule;

"Government House Leader" means the member of the Executive Council named as such by the Premier;

"legislative grounds" means the area bounded by Belleville, Menzies, Superior and Government Streets in the City of Victoria, British Columbia;

"Legislative Precinct" means

(a) the Parliament Buildings,

(a.1) the legislative grounds and Confederation Garden Park,

(b) other buildings in Victoria or parts of them that are from time to time occupied and used by members of the Legislative Assembly for the purpose of their parliamentary duties including any premises from time to time occupied by officers and staff of the Legislative Assembly, and

(c) other land or buildings or both, other than constituency offices, designated by minute of the committee;

"Opposition House Leader" means the member of the Legislative Assembly named as such by the Leader of the Official Opposition;

"**Speaker**" means, subject to section 6, the person holding office as such under section 37 of the *Constitution Act*.

Continuation of the committee

2 (1) The Legislative Assembly Management Committee is continued consisting of the following members of the Legislative Assembly:

(a) the Speaker;

(b) the minister;

(c) the Government House Leader;

(d) the chair of the Government Caucus;

(e) the Opposition House Leader;

(f) the chair of the Official Opposition Caucus;

(g) one member appointed from each additional party by the members of that party;

(h) for each member appointed under paragraph (g) one additional government member from the Government Caucus appointed by the Government House Leader.

(2) The members of the committee referred to in subsection (1) (g) and (h) must be appointed within 45 days from the general voting day for the general election that preceded the Parliament.

(3) The first meeting of the committee must be held within 14 days of the appointment of the members referred to in subsection (1) (g) and (h)

(4) A member of the committee referred to in subsection (1) (b) to (h) may appoint a designate to take the member's place at a meeting of the committee.

(5) The Speaker is the chair of the committee and in the Speaker's absence the Deputy Speaker may act as chair and, with respect to the business of the committee, exercise the powers of the Speaker.

(6) A quorum of the committee is 5 members of the committee consisting of

(a) the Speaker, or in the Speaker's absence, the Deputy Speaker,

(b) 3 of the persons referred to in subsection (1) (b), (c), (d) or (h), and

(c) one of the persons referred to in subsection (1) (e), (f) or (g)

(7) Each member of the committee other than the chair has a vote, and if the votes are equal the chair has a deciding vote.

(8) The members of the committee or their designates must attend all meetings of the committee as and when called by the chair, unless prevented from doing so by illness or for other unavoidable reason.

Powers and duties of the committee

3 (1) The committee has jurisdiction to deal with all matters affecting

(a) subject to any other enactment and any rules of conduct established by the Legislative Assembly, policies for the administration of the Legislative Assembly and for the conduct of the members of the Legislative Assembly,

(b) the provision of facilities and services, including allocation within the Legislative Precinct, that are required for the effective functioning of the Legislative Assembly,

(c) the appointment, supervision and management of staff of the Legislative Assembly, other than permanent officers of the Legislative Assembly,

(d) review of estimates of expenditure for the Legislative Assembly for Vote 1 including the preparation of forecasts and analyses of expenditures and commitments of the Legislative Assembly,

(d.1) payments of Capital City allowance to members of the Legislative Assembly,

(d.2) [Repealed 2007-23-16.]

(d.3) the voluntary group registered retirement savings plan that was established by the committee for members of the Legislative Assembly,

(e) payments to members of the Legislative Assembly to defray expenses in the performance of their duties, including

(i) expenses for residence in the Capital Regional District during the legislative session and for any additional periods specified by the committee,

(ii) protocol expenses,

(iii) travel and associated expenses of the members and persons accompanying the members, and

(iv) expenses for service on legislative committees when the Legislative Assembly is not sitting,

(f) payments or services to members for constituency offices, including payments or services for staffing, maintaining the offices, communication expenses and travel expenses,

(f.1) a severance allowance for persons when they cease to be members of the Legislative Assembly, and for this purpose may establish a severance plan that sets out the circumstances in which such persons will be eligible for the allowance, the amounts of the allowance payments, and any other matter related to severance,

(f.2) when and how

(i) payments referred to in paragraphs (d.1), (e), (f) and (f.1) are required to be provided by the government, and

(ii) amounts required to be contributed by the government under the terms of the plan described in paragraph (d.3) are to be paid, and

(g) other matters necessary for the efficient and effective operation and management of the Legislative Assembly.

(1.1) [Repealed 2007-23-16.]

(1.2) Despite the *Income Tax Act*, a Capital City allowance payable to a member under subsection (1) (d.1) is deemed not to be wages within the meaning of that Act, and not to form part of the income of that member for any purpose of that Act.

(2) Subsection (1) (b) does not empower the committee to allocate space or provide services within the Legislative Precinct that are necessary for

(a) ministerial offices,

(b) ministerial administration and support staff, or

(c) the functioning of the Executive Council.

Powers and duties of the Speaker

4 (1) Subject to any direction of the committee, the Speaker is responsible for the day to day administration of the Legislative Assembly.

(1.1) In accordance with the regulations, the Speaker is responsible for the

(a) provision of security within the Legislative Precinct, and

(b) management of the use and enjoyment of the Legislative Precinct by the public and by other persons.

(2) The committee may delegate any of its powers to the Speaker.

Proceedings and business

5 (1) The committee may determine its own procedures.

(2) The committee speaks by minute duly adopted by the committee.

(3) The committee may authorize payment of reasonable and actual expenses incurred by its members

(a) for attendance at meetings of the committee while the Legislative Assembly is adjourned or prorogued, or

(b) while engaged in the work of the committee while the Legislative Assembly is adjourned or prorogued.

(4) The committee must have its accounts or financial procedures examined and reported on each fiscal year by a qualified person or firm appointed by the committee.

(5) A member of the public service is not eligible to be appointed under subsection (4)

(6) The Auditor General may examine the accounts and financial procedures of the committee and report to the Speaker at the times that the Auditor General considers appropriate.

(7) Subsection (6) does not restrict the Auditor General from reporting to the Legislative Assembly on any other matter that the Auditor General considers to be in the public interest including the matters within the jurisdiction of the committee under section 3.

(8) The committee must promptly file its minutes and the reports referred to in subsections (4) and (6) with the Clerk of the Legislative Assembly who must

(a) make the minutes and reports available to any person for inspection without charge and during normal business hours, and

(b) provide a copy of the minutes and reports on payment of a reasonable copying charge.

(9) The committee must report annually to the Legislative Assembly on the decisions made by the committee during the previous year.

(10) The report under subsection (9) must include the reports referred to in subsections (4) and (6)

Dissolution of Legislative Assembly

6 (1) After general voting day for a general election, the person holding the office of Speaker immediately before general voting day is deemed for the purposes of this Act to continue in office as Speaker until a Speaker designate is named.

(2) [Repealed 2011-13-125.]

(3) If a Speaker designate is named, he or she is deemed to be Speaker for the purposes of this Act.

(4) [Repealed 2011-13-125.]

Appropriation

6.1 Money required to be provided by or paid on behalf of the government under this Act must be provided or paid by the Minister of Finance from money appropriated for that purpose by the Legislative Assembly or, in the absence of an adequate appropriation for that purpose, from the consolidated revenue fund.

Conflicts

7 If there is any conflict or inconsistency between

(a) this Act or a minute of the committee issued under this Act, and

(b) the *Financial Administration Act* or any regulation or directive made or given under it,

then, despite the *Financial Administration Act*, this Act or the minute of the committee prevails.

Power to make regulations

8 (1) The Lieutenant Governor in Council may make regulations as follows:

(a) providing for the security of the Legislative Precinct;

(b) regulating, permitting or prohibiting use of the Legislative Precinct by the public or by other persons.

(2) The Lieutenant Governor in Council may make regulations establishing penalties for failure to comply with the regulations made under this section.

Schedule

CONFEDERATION GARDEN PARK

All those parcels of land in the City of Victoria with the following legal descriptions:

Parcel Identifier: 009-386-980
Lot 890, Victoria City
Parcel Identifier: 009-387-021
Lot 891, Victoria City
Parcel Identifier: 009-387-030
Lot 894, Victoria City
Parcel Identifier: 009-387-056
Lot 995, Victoria City.